

Comp. file

MAY 5 1983

REF: 8AW-WM

David L. Anderson  
Environmental Engineer  
Ashland Chemical Company  
P.O. Box 2219  
Columbus, Ohio 43216

Dear Mr. Anderson:

We are writing in response to your April 21, 1983, letter regarding the achievement of interim status at your Sheridan, Colorado plant.

The December 10, 1981, Regulation Interpretation Memorandum allows a generator to qualify for interim status as a storage facility if (1) the storage area was in existence on or before November 19, 1980, (2) the owner or operator complied with Section 3010(a) of the Resource Conservation and Recovery Act (RCRA), and (3) the Part A permit application is submitted within 30 days of the date when the storage period exceeds 90 days. While you appear to have met conditions (1) and (3), our records and your current submittal show that the Notification Form (8700-12) was not filed until October 1980. Section 3010(a) of RCRA requires that the Notification be filed no later than 90 days after promulgation of the list of wastes; since that occurred on May 19, 1980, the Notification was due on August 18, 1980. You therefore failed to meet condition (2).

Based on the above, it appears that your Sheridan plant does not qualify for interim status. If you wish to submit an application for a new facility, or if you wish to discuss the interim status issue further, please contact Lawrence Wapensky at (303) 837-6258.

Sincerely yours,

/s/ [signature] signed by Robert L. Duprey

Robert L. Duprey, Director  
Air and Waste Management Division

JMinkoff/ja/5-3-83/-83/#6258/8311Dp32

## CONCURRENCES

SYMBOL	8AW-WM	ERC	8AW-WM				
SURNAME	Minkoff	Morgan	Wapensky	Johnson			
DATE	5/4/83	5/4/83	5/4/83	5/4/83			